



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 020512-000120US

Assistant Commissioner for Patents  
Washington, D.C. 20231

On July 20, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Justin Taylor Clough

JUL 20 2001  
Technology Center 2100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Arti Arora, et al.

Application No.: 09/823,956

Filed: March 30, 2001

For: SYSTEM AND METHOD FOR  
IMPLEMENTING ELECTRONIC  
MARKETS

Examiner:

Art Unit: 2161

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

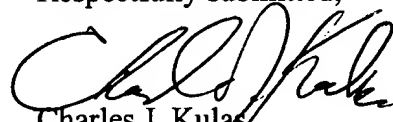
The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and

no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

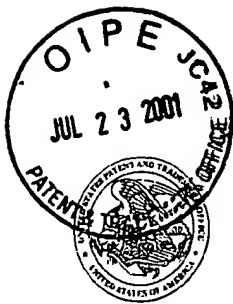
Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Charles J. Kulas  
Reg. No. 35,809

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
CJK:jtc



See top  
\$

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/823,956         | 03/30/2001          | Arti Arora            | 20512000120            |

CONFIRMATION NO. 7580

20350  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

## FORMALITIES LETTER



\*OC000000006100236\*

Date Mailed: 05/21/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$591.
  - \$351 for 39 total claims over 20.
  - \$240 for 6 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1011.

*A copy of this notice MUST be returned with the reply.*

AM

Customer Service Center

Initial Patent Examination Division (703) 308-1202

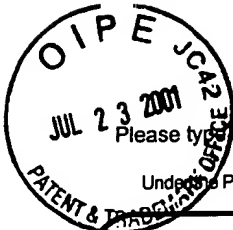
PART 2 - COPY TO BE RETURNED WITH RESPONSE

09823956

07/25/2001 #88011 00000118 201430

01 FC:205  
02 FC:201  
03 FC:202  
04 FC:203

65.00 CH  
355.00 CH  
240.00 CH  
351.00 CH



Please type a plus sign (+) inside this box → ☒

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

|   |                             |                               |              |
|---|-----------------------------|-------------------------------|--------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | <b>Application Number</b>   | 09/823,956                    |              |
|   | <b>Filing Date</b>          | March 30, 2001                |              |
|   | <b>First Named Inventor</b> | Arora, Arti                   |              |
|   | <b>Group Art Unit</b>       | 2161                          |              |
|   | <b>Examiner Name</b>        |                               |              |
| <b>Total Number of Pages in This Submission</b>                                     | 8                           | <b>Attorney Docket Number</b> | 020512000120 |

| ENCLOSURES (check all that apply)   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br>Executed Declaration; Revised ADS; Power of Attorney; Statement Under 37 CFR 3.73(b); Copy of Notice to File Missing Parts; Return Postcard |
| <b>Remarks</b>  |  | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |  |
|--|--|--|
| <b>Firm and Individual name</b>            | Townsend and Townsend and Crew LLP<br>Charles J. Kulas<br>Reg No. 35,809 |  |
| <b>Signature</b>                           |  |  |
| <b>Date</b>                                | 7-13-01  |  |

| CERTIFICATE OF MAILING  |                     |                             |
|---|---------------------|-----------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <u>July 17, 2001</u> |                     |                             |
| <b>Typed or printed name</b>  | Julie Taylor Clough |                             |
| <b>Signature</b>  |                     | <b>Date</b>   July 17, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1246337 v1



Under the Patent Work Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (09-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1011.00

## Complete if Known

|                      |                 |
|----------------------|-----------------|
| Application Number   | 09/823,956      |
| Filing Date          | March 30, 2001  |
| First Named Inventor | Arora, Arti     |
| Examiner Name        |                 |
| Group Art Unit       | 2161            |
| Attorney Docket No.  | 020512-000120US |

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 710             | 201            | 355             | Utility filing fee     | 355      |
| 106            | 320             | 206            | 160             | Design filing fee      |          |
| 107            | 490             | 207            | 245             | Plant filing fee       |          |
| 108            | 710             | 208            | 355             | Reissue filing fee     |          |
| 114            | 150             | 214            | 75              | Provisional filing fee |          |

SUBTOTAL (1)

(\$355)

### 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |       |
|--------------------|--------------|----------------|----------|-------|
| 59                 | -20** = 39   | X \$9 =        | \$351    |       |
| Independent Claims | 9            | -3** = 6       | X \$40 = | \$240 |
| Multiple Dependent |              | X              | =        |       |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  |
|----------------|-----------------|----------------|-----------------|--|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                     |
| 102            | 80              | 202            | 40              | Independent claims in excess of 3                          |
| 104            | 270             | 204            | 135             | Multiple dependent claim, if not paid                      |
| 109            | 80              | 209            | 40              | ** Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$591)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath  | 65       |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for reexamination                                     |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                     |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                        |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                     |          |
| 116            | 390             | 216            | 195             | Extension for reply within second month                                    |          |
| 117            | 890             | 217            | 445             | Extension for reply within third month                                     |          |
| 118            | 1,390           | 218            | 695             | Extension for reply within fourth month                                    |          |
| 128            | 1,890           | 228            | 945             | Extension for reply within fifth month                                     |          |
| 119            | 310             | 219            | 155             | Notice of Appeal   |          |
| 120            | 310             | 220            | 155             | Filing a brief in support of an appeal                                     |          |
| 121            | 270             | 221            | 135             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                              |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable   |          |
| 141            | 1,240           | 241            | 620             | Petition to revive - unintentional   |          |
| 142            | 1,240           | 242            | 620             | Utility issue fee (or reissue)   |          |
| 143            | 440             | 243            | 220             | Design issue fee   |          |
| 144            | 600             | 244            | 300             | Plant issue fee  |          |
| 122            | 130             | 122            | 130             | Petitions to the Commissioner  |          |
| 123            | 50              | 123            | 50              | Petitions related to provisional applications                              |          |
| 126            | 180             | 126            | 180             | Submission of Information Disclosure Stmt                                  |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per property (times number of properties) |          |
| 146            | 710             | 246            | 355             | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149            | 710             | 249            | 355             | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179            | 710             | 279            | 355             | Request for Continued Examination (RCE)                                    |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                  |          |

Other fee (specify)

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$65)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)

Charles J. Kulas

Registration No. (Attorney/Agent)

35,809

Telephone

415-576-0200

Signature

*Charles J. Kulas*

Date

7-13-01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. SF 1246359 v1